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Security Council

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Letter dated 19 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from the United Kingdom of Great Britain and Northern Ireland, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

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Annex

[Original: English]

Letter dated 19 December 2001 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Annexed to this note is the report of the United Kingdom submitted pursuant to paragraph 6 of resolution 1373 (2001) on the steps taken to implement that resolution (see enclosure).

The United Kingdom stands ready to submit any further information requested by the Counter-Terrorism Committee on the United Kingdom's implementation of resolution 1373 (2001).

(*Signed*) Jeremy **Greenstock**

Enclosure

The United Kingdom of Great Britain and Northern Ireland

Report to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001) of 28 September 2001

1. The unanimous adoption of **Security Council Resolution 1373 (2001)** (SCR 1373) (www.UN.org/Docs/scres/2001/res1373e.pdf) on 28 September 2001 was an historic event. This was the first resolution to impose obligations on all states to respond to the global threat of terrorism.

2. The United Kingdom has taken a full range of legislative and executive measures to ensure compliance with SCR 1373. We are also fully committed to the work of the Counter-Terrorism Committee (CTC) in ensuring global implementation of this resolution.

Legislative action

3. Before September 11 the United Kingdom had a wide range of legislative measures in place to counteract terrorist activity. The centrepiece of this legislative framework was the **United Kingdom Terrorism Act 2000**. Other relevant legislation included the Immigration Act 1971, the Customs and Excise Management Act 1979, the Extradition Act 1989 and the Export of Goods (Control) Order 1994. Following the events of September 11 it was decided to enhance the UK's existing Anti-Terrorism legislation. This resulted in the **Anti-Terrorism, Crime and Security Act 2001**which received royal assent on 14 December 2001. Legislation has also been adopted under the United Nations Act 1946.

4. In implementing SCR 1373 the United Kingdom has been careful to ensure that its obligations under the 1951 Refugee Convention, The European Convention on Human Rights and other relevant international human rights instruments are fully respected.

5. Detailed responses as to how the above legislative framework relates to specific concerns raised by SCR 1373 are set out below.

Executive action

6. The United Kingdom has established an Interdepartmental Group to oversee the implementation of SCR 1373. The group consists of representatives of:

- The Foreign and Commonwealth Office
- The Treasury
- The Home Office
- The Department of Trade and Industry
- Customs and Excise
- Department for Transport and the Regions
- The Bank of England

7. The Group has met on a number of occasions to discuss support for the work of the CTC; the preparation of the United Kingdom's response to the CTC and possible ways of providing assistance to other States.

In Europe

8. The United Kingdom has always participated actively in counter-terrorism action within the EU and will continue to do so. The special European Council on 20 and 21 September 2001 agreed that counter-terrorism should be a priority for the Union, both internally and in its relations with third countries. Heads of State and Government endorsed an EU Action Plan on 21 September to help member States step up the fight against global terrorism and to improve practical co-operation among member States. To date, 68 concrete measures under the Action Plan have been identified and taken forward. These measures include:

(a) creation of fast-track extradition and an EU arrest warrant, which should significantly reduce obstacles to extradition within EU;

(b) agreement on common EU offences and penalties for terrorist activity;

(c) setting up a team of EU Member States' anti-terrorist experts who can ensure timely collection and analysis of information and intelligence and draft threat assessments;

(d) conclusion of the US/Europol agreement on 6 December;

(e) the rapid implementation of the UN Convention for the Suppression of the Financing of Terrorism by all EU Member States;

(f) a requirement that the potential impact on the fight against crime and terrorism is fully considered in the drafting EC legislation;

(g) measures on freezing of assets and evidence;

(h) a review of the EU's relations with third countries in the light of their support for counter-terrorism.

9. On 10 December, the Council of the EU agreed a Common Position and Regulation to implement the UNSCR 1373 provision relating to the suppression of terrorist financing.

Action in the Overseas Territories and Crown Dependencies

10. The UK is responsible for the international relations of its Overseas Territories and Crown Dependencies.

11. Three Overseas Territories (Bermuda, Gibraltar and the Cayman Islands) have indicated that they will apply the relevant provisions of the Terrorism Act 2000 and the Anti-Terrorism, Crime and Security Act by local legislation. The remaining Overseas Territories have opted for the United Kingdom to do so on their behalf, through an Order in Council.

12. A first draft of the Overseas Territories model legislation will be ready in early January 2002, for consultation with the Overseas Territories shortly thereafter. The Government hopes that the Overseas Territories will, by Spring 2002 be in a position to (a) bring the necessary legislation to their local legislature for approval (in the cases of Cayman, Bermuda, Gibraltar), or (b) agree that the United Kingdom should make an Order In Council on their behalf (for the remainder).

13. The Crown Dependencies (the Channel Islands and the Isle of Man) are introducing their own domestic legislation to apply measures equivalent to those in the United Kingdom's Terrorism Act 2000 and the Anti-Terrorism Crime and Security Act 2001.

14. Action in relation to the to the Overseas Territories and Crown Dependencies has also been taken under the United Nations Act 1946 (through SI Numbers 3363, 3364 and 3366).

Technical Assistance to Other States

15. The United Kingdom has a wide-ranging programme of bilateral assistance in counter terrorism, aimed at preventing terrorism, apprehending terrorists and contributing to stability and preventing conflicts. In the past five years, activities covered by this programme have included visits, seminars and training projects in the following fields:

- hostage negotiations;
- explosive and ordinance disposal;
- aviation and maritime transport security;
- bomb scene management;
- crisis management.

The Foreign and Commonwealth Office employs a part-time Hostage and Crisis Management Consultant to support this programme.

16. The United Kingdom also supports the establishment of a Global Trust Fund to provide technical assistance to countries that need help in implementing SCR 1373. This could cover advice on drafting relevant legislation; assessment of precise needs for training; advice on protective security measures; and training and advice for financial control authorities. The CTC has already done much valuable work in collating information on what expertise, including from the UK, is already available in these areas. The United Kingdom would be willing to make a significant contribution to such a fund should it be established.

Coordination of the International Response

17. The CTC will also need to work closely with other international actors who are involved in the fight against terrorism, including the Vienna-based UN organisations, the International Financial institutions, regional organisations such as the EU and the OIC, the OECD and the G8 (including the FATF). The UK has actively promoted the work of the CTC in all these organisations and encouraged them to coordinate closely to prevent the waste of scarce human and financial resources.

Comments in relation to the specific questions posed by the Counter-Terrorism Committee:

Operative Paragraph 1

Sub-paragraph (a) - What measures if any have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to questions on 1 (b) to (d)

- The United Kingdom moved quickly to freeze the assets of those involved in the financing of terrorism following adoption of SCR 1373(2001). Lists were issued on 12 October, 2 November and 7 November 2001 identifying 48 individuals and 77 organisations whose accounts would be frozen pursuant to SCR

1373. These lists included individuals listed by the US under President Bush's Executive Order, the US list of 22 most wanted terrorists; the list of United Kingdom proscribed terrorist organisations; and the individuals and organisations listed by the United States on 7 November 2001. Those lists have been communicated to some 600 banks and other financial institutions in the United Kingdom, and have been published in a Bank of England Press Release (www.bankofengland.co.uk).

Sub-paragraph (b) - What are the offences and penalties in your country with respect to the activities listed in this sub-paragraph?

- The Terrorism Act 2000 describes four main offences in relation to terrorist funding.

  Fund raising: it is an offence to invite anyone to provide money or property; receive money or property; or provide money or property for the purposes of terrorism.

  Use and possession of money or property for the purposes of terrorism.

  Funding arrangements: involvement in arrangements whereby money or property is made available for terrorism.

  Money laundering: facilitating the retention or control of terrorist property in any way, including concealment; removal from the jurisdiction; and transfer to nominees.

- All of these apply in situations where a person intends, or has reasonable cause to suspect, that money or property will be used for the purposes of terrorism. The maximum penalty for each of these offences is 14 years imprisonment and/or a fine.

- There is also an obligation to disclose knowledge or suspicion of terrorist funding, based on information arising from one's trade, profession, business or employment. Failure to disclose such information is an offence subject to penalties of up to five years imprisonment and a fine. The Anti Terrorism, Crime and Security Act modified the Terrorism Act 2000 so that failure to disclose is an offence, in the regulated financial sector, wherever there are "reasonable grounds" to suspect terrorist funding.

Sub-paragraph (c) - What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken.

- Paragraph 1(c) of SCR 1373 is implemented in the United Kingdom by an Order in Council (SI 2001 No. 3365), made under section 1 of the United Nations Act 1946. This Order, which became effective on 10 October 2001, empowers the Treasury to direct banks and financial institutions to freeze the accounts of individuals and entities suspected of involvement in terrorism. Failure to do so is an offence. Since the adoption of SCR 1373, seven accounts have been frozen containing £7.2 million. Prior to the making of SI 2001 No. 3365, accounts in the United Kingdom of those associated with the Taliban and Usama bin Laden were frozen in accordance with the orders made pursuant to UNSCR 1267 and 1333, which are still in force. Parallel legislation has been adopted for the Crown Dependencies and Overseas Territories

Sub-paragraph (d) - What measures exist to prohibit the activities listed in this sub-paragraph?

- In addition to the legislation referred to above in relation to sub-paragraph 1(b) SI 2001 No. 3365 makes it an offence to provide funds to persons involved in terrorism. The term "funds" has a broad definition and includes the making available of financial assets and economic benefits of any kind.

Operative Paragraph 2

Sub-paragraph (a) - What legislation or other measures are in place to give effect to this sub-paragraph? What other measures help prevent such activities? In particular what offences in your country prohibit

(i) recruitment to terrorist groups

- The Terrorism Act 2000 includes powers to proscribe terrorist organisations concerned in international and domestic terrorism, in addition to those organisations concerned in terrorism connected with the affairs of Northern Ireland. Under the Act it is an offence to belong to or invite support for a proscribed organisation. More generally the provisions of the Terrorism Act apply to all those involved in terrorism, irrespective of whether the organisation they claim to represent is proscribed.

- The Act also includes provisions for specific offences of providing weapons training for terrorist purposes and of recruitment for such training.

and

(ii) the supply of weapons to terrorists?

- The United Kingdom's export control legislation contributes towards the elimination of the supply of weapons to terrorists. The export of conventional weapons from the United Kingdom is not permitted unless the exporter is in possession of a valid export licence. **The Export of Goods (Control) Order 1994**, as amended, (http://www2.dti.gov.United Kingdom/export.control/ legislation/egco.htm) prohibits the export to all destinations of military, security, and para-military goods and arms, ammunition and related material listed in Part III of Schedule 1 to the Order (the "Military List") (http://www2.dti.gov.United Kingdom/export.control/pdfs/egco.ddf) without an export licence.

- The United Kingdom also controls the export of certain goods which may be used in the fight against terrorism (to ensure that such goods do not fall into the hands of terrorists). Controls are also applied to certain industrial explosives that could be used as components of improvised explosive devices.

- **The Export Control Bill**, (www.parliament.the-stationery-office.co.uk/pa/1d200102/1dbills/020/2002020.htm) currently under consideration by Parliament, will provide powers to control trafficking and brokering. It sets out various purposes for which controls may be imposed, which include "the carrying out anywhere in the world of (or of acts which facilitate) acts of terrorism or serious crime anywhere in the world".

- Controls are also in place on nuclear - related items; chemical weapons precursors and related equipment and technology; certain micro-organisms, biological equipment and technology, goods used in weapons of mass destruction programmes; and missiles used for their delivery; and those

dual-use items designed for civil use that can be used for military purposes. These [latter] items are listed in an **Annex to Council Regulation (EC) 1334/2000** (www.dti.gov.uk/export.control/legislation/ecreg.htm, as amended, which establishes a regime for the control of exports of dual-use items and technology in the European Community. It implements agreed dual-use controls including those of the Wassenaar Arrangement, Missile Technology Control Regime, Nuclear Suppliers' Group, the Australia Group and the Chemical Weapons Convention. See (http://www2.dti.gov.United Kingdom/export.control/legislation/ecreg.htm). The Council Regulation also includes a catch-all control which brings items not included in the dual-use list under control if the prospective exporter is informed, or if they are aware, that the items they propose to export are intended for use in connection with a number of Weapons of Mass Destruction activities.

Offences and Penalties Relevant to Export Controls

- The main offences relate to export, or attempted export, of goods contrary to any restriction in force in relation to these goods. Thus any export of controlled goods without the necessary licence gives rise to an offence.

- Section 68(1) of the **Customs and Excise Management Act 1979** (annex) provides penalties of up to £1000 for any export, or attempted export, without the necessary licence and renders the goods liable to forfeiture.

- Sections 68(2) and 68(3) of the same Act provides for penalties of up to 7 years imprisonment and an unlimited fine where there is a deliberate breach of, or attempt to breach, the restriction.

- The above penalties apply to exports controlled under the **Export of Goods (Control) Order 1994** (www.legislation.hmso.gov.uk/si/si1994/Uksi_19940534_en_1.htm) **and Council Regulation (EC) 1334/2000.** (www.dti.gov.uk/export.control/legislation/ecreg.htm)

- Some dual use items, not specifically controlled under Council Regulation (EC) 1334/2000 are controlled under the Dual Use Items (Export Control) Regulations 2000 (SI 2000/2620). The penalty for deliberate breach of these controls is an unlimited fine and 2 years imprisonment.

- The Export Control Bill, currently before Parliament, will enable the United Kingdom to increase the maximum sentence for the most serious offences to 10 years imprisonment. This will apply both to offences that currently attract a maximum sentence of 7 years imprisonment and those that currently attract a maximum sentence of 2 years imprisonment under SI 2000/2620.

Licensing Policy

- Applications to export arms and dual-use goods are assessed against the Consolidated EU and National Arms Export Licensing Criteria (http://files.fco.gov.United Kingdom/und/sanctions/summary.pdf). This assessment takes into account, among other criteria, the record of the buyer country with regard to its support or encouragement of terrorism and the risk of diversion of the equipment within the buyer country or its re-export under undesirable conditions. The United Kingdom pays particular attention to the need to avoid diversion of exports to terrorist organisations.

Sub-paragraph (b) - What other steps are being taken to prevent the commission of terrorists acts, and in particular, what early warning mechanisms exist to allow exchange of information with other states?

- Countering the activities of those who may be seeking to assist terrorism outside the United Kingdom is a high priority for the Police and Security Service. The United Kingdom is active in promoting international co-operation on terrorism bilaterally and in multinational fora (EU,UN and G8). The United Kingdom also seeks to enhance practical and effective co-operation with other countries to deny terrorists a safe haven and bring them to justice.

Sub-paragraph (c) - What legislation or procedures exist for denying safe haven to terrorists such as laws for excluding or expelling the types of individuals referred to in this sub-paragraph? It would be helpful if States supplied examples of any relevant action taken.

- Under the United Kingdom's immigration control mechanisms, including the Immigration Acts, the Home Secretary has a personal power to exclude people from the United Kingdom. This power is usually exercised under one of three justifications – national security, public order or foreign relations. Anyone excluded because of possible terrorist links/involvement would fall into the national security category. The power is used sparingly, but regularly. Since 1990, 273 people have been excluded on national security grounds.

- As far as removal is concerned, **the Immigration Act 1971** (as amended) makes provision for the deportation of those whose presence in the United Kingdom is deemed not to be conducive to the public good. There is a right of appeal against any decision of this sort, and a special body, the Special Immigration Appeals Commission, set up to deal with security cases, which hears the appeal. The difficulty with removal is that Article 3 of the European Convention on Human Rights prevents removal to countries where there is a real risk of torture, or inhuman or degrading treatment. This has meant that very few people are removed on national security grounds.

- The Anti-Terrorism, Crime and Security Act provides that, where removal from the UK is not a realistic possibility, those involved in terrorist activities may be detained indefinitely in the UK. This procedure involves a five-year derogation from Article 5 of the European Convention on Human Rights.

Sub-paragraph (d) - What legislation or procedures exist to prevent terrorists acting from your territory against other states or citizens? It would be helpful if States supplied examples of any relevant action taken.

- As well as proscribing twenty-one international terrorist organisations, the provisions of the Terrorism Act 2000 also contain an offence of incitement to commit an act of terrorism wholly or partly outside the United Kingdom, where that act, if committed in the United Kingdom, would constitute one of a number of offences, including murder. The Criminal Justice (Terrorism and Conspiracy) Act 1998 also makes it an offence to conspire in the United Kingdom to commit terrorist offences overseas. The Anti-Terrorism Crime and Security Act strengthens these anti-terrorism laws and includes further measures that increase police powers to investigated suspected terrorist finances

- From an immigration point of view, the Anti-Terrorism, Crime and Security Act enables the state to detain people indefinitely, where the Home Secretary has certified that they are a threat to United Kingdom national security and are suspected international terrorists, and where they cannot be removed to another country.

Sub-paragraph (e) - What steps have been taken to establish terrorist acts as serious criminal offences and to ensure that the punishment reflects the seriousness of such terrorist acts? Please supply examples of any convictions obtained and the sentence given.

- The Terrorism Act 2000 defines terrorism as the use or threat, for the purpose of advancing a political, religious or ideological cause, of action which involved serious violence against a person or serious damage to property, endangers a person's life, creates a serious risk to the health or safety of the public or section of the public, or is designed seriously to interfere with or seriously to disrupt an electronic system. Criminal offences falling within this definition can be investigated by the police using the powers contained in the Act. The question of the appropriate punishment for those convicted of criminal offences is a matter for judicial discretion and is based on the guidelines available to the trial judge and the individual circumstances of the case. The United Kingdom courts do, however, regularly impose strong penalties for terrorist-related criminal offences.

Sub-paragraph (f) - What procedures and mechanisms are in place to assist other states? Please provide any available details of how these have been used in practice.

- The United Kingdom is committed to strengthened international co-operation to deal with the terrorist threat and considers that it is important to share information and best practice in this area. The United Kingdom is always ready to co-operate with other like-minded countries on counter-terrorism issues, both in bilateral contacts and in international fora such as the EU, UN and G8. For example, within the EU the United Kingdom supported the extension of Europol's remit to include counter-terrorism activity. This has enabled EU Member States to build on the excellent counter-terrorism co-operation that already exists between their police/intelligence agencies.

Sub-paragraph (g) - How do border controls in your country prevent the movement of terrorists? How do your procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery etc?

- The UK concentrates most of its immigration control at sea and airports, using Visa regimes and examination on arrival, backed by intelligence, to prevent the movement of terrorists. The United Kingdom does not issue "identity papers" and does not have an internal system of identity cards or similar. The only form of identity document issued is the British Passport.

- Passports are issued only to UK. Measures are in place to reduce the possibility of fraud, and forgery to a minimum.

- Those who are recognised as refugees by the United Kingdom are issued with a United Kingdom Travel Document. Only those who are settled in the United Kingdom are eligible and they will have gone through the processes outlined in the answer to Operative Paragraph 3, sub-paragraph (f).

Operative Paragraph 3

Sub-paragraph (a) - What steps have been taken to intensify and accelerate the exchange of operational information in the areas indicated in this sub-paragraph?

- The United Kingdom is committed to the rapid exchange between countries of operational information regarding terrorism. Within the EU, the United Kingdom authorities are fully engaged in supporting Europol's new Counter-Terrorism task force. The United Kingdom authorities also continue, in accordance with the terms of the Europol Convention, to transmit to Europol information on counter-terrorism related activity, and relevant threat assessment and protective security measures. The establishment of Europol's Counter-Terrorism Task Force will serve to promote the existing positive co-operation between Europol and EU Member States' police, and security and intelligence services.

- The United Kingdom conducts a number of export control outreach activities in the form of bilateral talks and awareness raising seminars. Dedicated export control bilateral meetings address practical issues surrounding export licensing and enforcement in detail. All states that are new additions to our programme of bilateral talks on export controls are offered seminars focusing on their specific operational needs and interests.

Sub-paragraph (b) - What steps have been taken to exchange information and co-operate in the areas indicated in this sub-paragraph?

- The United Kingdom is active in promoting international co-operation both bilaterally and in multilateral fora, participating energetically in Counter Terrorist activity in the European Union (see Paragraph 8 above); fully supported the Commonwealth Secretary General's initiative to establish a Commonwealth Committee on Terrorism; working with G8 colleagues to produce an Action Plan on Terrorism; and active in the Vienna based organisations of the UN, NATO and the OSCE. In all these fora the UK have encouraged practical and effective co-operation with the aim of denying terrorists a safe haven and bringing them to justice.

Sub-paragraph (c) - What steps have been taken to co-operate in the areas indicated in this sub-paragraph?

- As described in section 3 b) the United Kingdom plays an active role in the campaign against terrorism in a wide range of international organisations. The United Kingdom also discusses counter terrorism issues with a wide range of countries on a bilateral basis (see Paragraph 12 above).

Sub-paragraph (d) - What are your government's intentions regarding signing and/or ratifying the conventions and protocols referred to in this sub-paragraph?

- The United Kingdom has signed and ratified all twelve international global conventions and protocols on terrorism. It is also a Party to the European Convention on the Suppression of Terrorism (1977). Action is in hand to extend these Conventions to the Overseas Territories, in the few cases where this has not already occurred. Details of signature and ratification by the United Kingdom are provided in attachment I.

Sub-paragraph (e) - Provide any relevant information on the implementation of the conventions, protocols and resolutions referred to in this sub-paragraph.

- The United Kingdom has fully implemented the twelve international conventions and protocols on terrorism and the European Convention on the Suppression of Terrorism, along with Security Council Resolutions 1269 and 1368. The Terrorism Act 2000, which came into force in February 2000, enabled the UK to ratify the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. Action is in hand to prepare model legislation to enable the Overseas Territories similarly to implement these Conventions.

Sub-paragraph (f) - What legislation procedures and mechanisms are in place for ensuring asylum seekers have not been involved in terrorist activity before granting refugee status. Please supply examples of any relevant cases.

- All asylum applicants in the UK are interviewed and their fingerprints taken before any grant of status is made. Where someone is shown, either through interview or other methods, to have connections with terrorist organisations, consideration will be given to whether they are excluded from the protection of the 1951 Convention, and to removing them from the United Kingdom. The Anti-terrorism, Crime and Security Act gives the Home Secretary the power to certify that a person with terrorist connections should not be entitled to the protection of the 1951 Convention. It is United Kingdom Government policy not to reveal details of an individual's immigration status to any third party.

Sub-paragraph (g) – What procedures are in place to prevent the abuse of refugee status by terrorists?

- Under the provisions of Article 1 (f) of the 1951 Convention refugee status is not available to those who have committed serious crimes such as terrorism. In the context of Article 33 of the Convention, terrorists can not benefit from the principle of non-refoulement. In cases where removal is precluded by Article 3 of the European Convention on Human Rights, terrorists will be detained indefinitely under the Anti-Terrorism, Crime and Security Act.

Please provide details of legislation and/or administrative procedures which prevent claims of political motivation being recognised as grounds for refusing requests for the extradition of alleged terrorists. Please supply examples of any relevant cases.

- Extradition to and from the United Kingdom is governed by the **Extradition Act 1989** ("the 1989 Act"). This can be found at http://www.legislation.hmso.gov.United Kingdom/acts/acts1989

- Section 6 of, and Schedule 1, paragraph 1(2) to, the 1989 Act provide that a fugitive shall not be extradited for an "offence of a political character". However, this basic provision is qualified in a number of ways:

  (a) Section 23 of the 1989 Act provides that acts of genocide may not be regarded as offences of a political character;

  (b) Section 24 of the 1989 Act (attachment II), as amended by section 64 of the Terrorism Act 2000, provides that in respect of extradition requests from designated countries certain offences cannot be regarded as offences of a political nature. The offences are those listed in Schedule 1 to the Suppression of Terrorism Act 1978 ('the 1978 Act') (attachment III) and in section

22(4)(m) and (n) of the 1989 Act which refer to the International Conventions on the Suppression of Terrorist Bombings and the Suppression of the Financing of Terrorism;

(c) By designating states, the United Kingdom disapplies the political offence exception for those offences listed in Schedule 1 of the 1978 Act. 18 European Convention on Extradition (ECE) states and the USA and India are so designated (attachment IV).

- The United Kingdom intends to introduce further legislation on extradition early in 2002 to ensure that its legislation complies fully with the terms of SCR 1373.

Attachments:

I United Kingdom Ratification and Signature of Terrorism Conventions
II Extract from 1989 Extradition Act
III Schedule 1 to the Suppression of Terrorism Act 1978
IV List of designated States under Schedule 1 of the above.

Contact Points: For further information on any aspect of this report please contact either:

First Secretary (Counter Terrorism) Permanent Mission of the United Kingdom to the United Nations 28th Floor One Dag Hammarskjöld Plaza 885 Second Avenue New York, NY 10017 Tel (212) 745-9380 Fax (212) 745-9316 E:mail: UK.ctc.newyork@fco.gov.uk	Counter Terrorism Desk United Nations Department Foreign and Commonwealth Office K150 King Charles Street London SW1A 2AH, UK Tel (44 20) 7270 2490 Fax (44 20) 7270 3910 E:mail: UK.ctc@fco.gov.uk

Attachment I

UNITED KINGDOM ADHERENCE TO UNITED NATIONS CONVENTIONS ON TERRORISM

Convention	Signature	Ratification
1. Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963	14 Sep 63	29 Nov 68
2. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970	16 Dec 70	22 Dec 71
3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971	23 Sep 71	25 Oct 73
4. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973	13 Dec 74	2 May 79
5. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979	18 Dec 79	22 Dec 82
6. Convention on the Physical Protection of Nuclear Material, signed at Vienna 3 March 1980	13 Jun 80	6 Sep 91
7. Protocol for the Suppression of Unlawful Acts of Violence at Airports serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988	26 Oct 88	15 Nov 90

Convention	Signature	Ratification
8. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Concluded at Rome on 10 March 1988 Protocol to the above mentioned Convention for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf. Concluded at Rome on 10 March 1988	22 Sep 88	3 May 91
9. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988	22 Sep 88	3 May 91
10. Convention on the Marking of Plastic Explosives for the Purpose of Detection, Done at Montreal on 1 March 1991	1 Mar 91	28 Apr 97
11. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997	12 Jan 98	7 Mar 01
12. International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December1999	10 Jan 00	7 Mar 01

UNITED KINGDOM ADHERENCE TO EUROPEAN CONVENTION ON TERRORISM

European Convention on the Suppression of Terrorism, concluded at Strasbourg on 27 January 1977	27 Jan 77	24 Jul 78

Attachment II

Section 24 of the Extradition 1989

(1) For the purposes mentioned in subsection (2) below—

(a) no offence to which section 1 of the Suppression of Terrorism Act 1978 applies shall be regarded as an offence of a political character; and

(b) no proceedings in respect of an offence to which that section applies shall be regarded as a criminal matter of a political character or as criminal proceedings of a political character.

(2) Those purposes are the purposes—

(a) of a request for the return of a person in accordance with extradition procedures under Part III of this Act made by a country to which this subsection applies; and

(b) of a requisition under Schedule 1 to this Act which is made by such a country.

(3) Subsection (2) above applies—

(a) to a country for the time being designated in an order made by the Secretary of State as a party to the European Convention on the Suppression of Terrorism signed at Strasbourg on 27th January 1977; and

(b) to a country in relation to which the Secretary of State has made an order under section 5 of the Suppression of Terrorism Act 1978 applying that subsection.

(4) In relation to a requisition under Schedule 1 to this Act which is made by a country to which subsection (2) above applies that Schedule shall have effect as if at the end of paragraph 1(2)(b) there were added

"or

(c) he proves to the satisfaction of the District Judge (Magistrates' Courts) or the court before whom he is brought on habeas corpus, or to the Secretary of State—

(i) that the requisition for his surrender has in fact been made with a view to try or punish him on account of his race, religion, nationality or political opinions; or

(ii) that he might, if surrendered, be prejudiced at his trial or punished, detained or restricted in his personal liberty by reason of his race, religion, nationality or political opinions.".

(5) Subsections (1) and (2) above shall have effect in relation to an offence to which section 22(4)(m) or (n) above applies as they have effect in relation to an offence to which section 1 of the Suppression of Terrorism Act 1978 applies.

(6) For that purpose subsection (2) applies to a country which is a party to—

(a) the Convention for the Suppression of Terrorist Bombings mentioned in section 22(2)(m) above, or

(b) the Convention for the Suppression of the Financing of Terrorism mentioned in section 22(2)(n) above.

Attachment III

The Suppression of Terrorism Act 1978

Schedule 1- List of Offences

1. Murder.

2. Manslaughter or culpable homicide.

3. Rape.

4. Kidnapping, abduction or plagium.

5. False imprisonment.

6. Assault occasioning actual bodily harm or causing injury.

7. Wilful fire-raising.

8. Offences against the person :

An offence under any of the following provisions of the Offences against the Person Act 1861–

(za) section 4 (soliciting etc to commit murder);

(a) section 18 (wounding with intent to cause grievous bodily harm);

(b) section 20 (causing grievous bodily harm);

(c) section 21 (attempting to choke etc in order to commit or assist in the committing of any indictable offence);

(d) section 22 (using chloroform etc to commit or assist in the committing of any indictable offence);

(e) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);

(f) section 24 (maliciously administering poison etc with intent to injure etc);

(g) section 48 (rape).

9. An offence under section 1 of the Sexual Offences Act 1956 (rape).

10. Abduction

An offence under any of the following provisions of the Offences against the Person Act 1861–

(a) section 55 (abduction of unmarried girl under 16);

(b) section 56 (child-stealing or receiving stolen child).

8. An offence under section 20 of the Sexual Offences Act 1956 (abduction of unmarried girl under 16).

11A. Taking of hostages

An offence under the Taking of Hostages Act 1982.

11B. An offence under section 2 of the Child Abduction Act 1984 (abduction of child by person other than parent etc) or any corresponding provision in force in Northern Ireland.

12. Explosives

An offence under any of the following provisions of the Offences against the Person Act 1861–

(a) section 28 (causing bodily injury by gunpowder);

(b) section 29 (causing gunpowder to explode etc with intent to grievous bodily harm).

(c) section 30 (placing gunpowder near a building etc with intent to cause bodily injury).

13. An offence under any of the following provisions of the Substances Act 1883–

(a) section 2 (causing explosion likely to endanger life or property

(b) section 3 (doing any act with intent to cause such explosion, conspiring to cause such an explosion, or making or possessing explosive with intent to endanger life or property).

13A. Nuclear material

An offence under any provision of the Nuclear Material (Offences) Act 1983.

14. Firearms

The following offences under the Firearms Act 1968–

(a) an offence under section 16 (possession of firearm with to injure);

(b) an offence under subsection (1) of section 17 (use of firearm or imitation firearm to resist arrest) involving the use attempted use of a firearm within the meaning of that section.

15. The following offences under the Firearms (Northern Ireland) Order 1981

(a) an offence under Article 17 consisting of a person's in his possession any firearm or ammunition (within the meaning that Article) with intent by means thereof to endanger life, or to enable another person by means thereof to endanger life;

(b) an offence under paragraph (1) of Article 18(use of firearm or imitation firearm to resist arrest) involving the use or attempted use of a firearm within the meaning of that Article.

16. Offences against property

An offence under section 1(2) of the Criminal Damage Act 1971 (destroying or damaging property intending to endanger life or being reckless as to danger to life).

17. An offence under Article 3(2) of the Criminal Damage (Ireland) Order 1977 (destroying or damaging property intending to endanger life or being reckless as to danger to life).

18. Offences in relation to aircraft

An offence under Part I of the Aviation Security Act 1982 (other than an offence under section 4 or 7 of that Act).

18A. An offence under section 1 of the Aviation and Maritime Security Act 1990.

18B. Offences relating to ships and fixed platforms

An offence under Part II of the Aviation and Maritime Security Act 1990 (other than an offence under section 15 of that Act).

18C. Offences relating to Channel Tunnel trains and the tunnel system

An offence under Part II of the Channel Tunnel (Security) Order 1994 No 570.

19A. Financing terrorism

An offence under any of sections 15 to 18 of the Terrorism Act 2000.

20. Attempts

An offence of attempting to commit any offence mentioned in preceding paragraph of this Schedule.

21. Conspiracy

An offence of conspiring to commit any offence mentioned in preceding paragraph of this Schedule.

Attachment IV

Orders under the 1978 Act have been made for the following European Convention on Extradition states:

Austria
Belgium
Cyprus
Denmark
France
Germany
Iceland
Republic of Ireland
Italy
Liechtenstein
Luxembourg
Netherlands
Norway
Portugal
Spain
Sweden
Switzerland
Turkey

Orders have been made under section 5 of the 1978 Act in respect of:

USA
India